

From: Michael Vengrow
To: Microsoft ATR
Date: 1/29/02 12:00am
Subject: Microsoft Settlement

Dear Sir,

I would like to respectfully submit my comments on the Microsoft Settlement.

I believe that the key issue in this case is whether or not it is possible for a company to infringe on the rights of others, e.g., customers, competitors, distributors, etc, simply by offering products or services for sale under certain conditions. Microsoft's competitors have alleged that Microsoft has constrained freedom of trade in the software industry by using "unfair" practices, such as obligating distributors of Microsoft programs to include certain features with Windows or to agree to certain licensing arrangements with Microsoft. I submit that offering products under such conditions do not constitute a breach of anyone's rights, neither distributors nor customers, since no one has been forced to deal with Microsoft. The only way to actually infringe on someone's rights are to initiate physical force against them or to commit an act of fraud against them. The fact that Microsoft has outcompeted its competitors, without a single alleged instance of force or fraud, and that its competitors are now crying "Not fair!!! Not fair!!! Not fair!!!", is no reason for the government to attack Microsoft with a lawsuit.

Please keep in mind that the only way Microsoft has been successful during its entire history is to offer either better products or better services or lower prices. No one has been coerced or defrauded by Microsoft. Ever. On the contrary, the public (myself emphatically included) has enormously benefitted from the tremendous increase in efficiency of daily tasks, in both business and personal life, which Microsoft's products have made possible. Given these facts, I urge the court to not punish Microsoft for doing what the best of America's entrepreneur's have always done - bring to market products and services that improve people's lives.

Thank you for your attention.

Michael Vengrow
San Diego, CA